

SERGEANT SYSTEMS, INC.,)	AGBCA No. 2005-126-1
)	
Appellant)	
)	
Representing the Appellant:)	
)	
Joan E. Sergeant, President)	
Sergent Systems, Inc.)	
121 North Maysville Road)	
Mt. Sterling, Kentucky 40353)	
)	
Representing the Government:)	
)	
Mark R. Simpson, Esquire)	
Office of the General Counsel)	
U.S. Department of Agriculture)	
1718 Peachtree Rd., NW, Suite 576)	
Atlanta, Georgia 30309-2409)	

DECISION OF THE BOARD OF CONTRACT APPEALS

August 1, 2005

Before POLLACK, VERGILIO, and WESTBROOK, Administrative Judges.

Opinion for the Board by Administrative Judge WESTBROOK.

This appeal, received at the Board January 14, 2005, arises out of Contract No. 43-531A-3-1010 between Sergent Systems, Inc., of Mt. Sterling, Kentucky (Appellant or Sergent Systems), and the U. S. Forest Service, Daniel Boone National Forest, U. S. Department of Agriculture, of Winchester, Kentucky (the Government or FS).

Sergent Systems appealed the deemed denial of its claim for \$15,293.90 for unanticipated costs for strict adherence to confined space requirements not specified in the contract documents; impact from lost time due to excessive and recurring ground water within work areas; and, supply and installation of electrical material as directed by the Contracting Officer's Representative (COR) not specified in the contract documents.

The appeal was docketed and Appellant was allowed thirty (30) days in which to file a complaint. When a complaint was not received within that time frame, the Board held a telephonic conference

with the parties. Appellant stated that settlement negotiations between the parties were ongoing. The Board has received a copy of a settlement agreement executed by both parties and a letter from Appellant indicating that it has been paid in full and all issues resolved.

DECISION

The parties, having settled all issues and Appellant having been paid in full, the appeal is dismissed with prejudice.

ANNE W. WESTBROOK
Administrative Judge

Concurring:

HOWARD A. POLLACK
Administrative Judge

JOSEPH A. VERGILIO
Administrative Judge

Issued at Washington, D.C.
August 1, 2005